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Rejection of Claims 1, 2, 15-17, 20, 24, 34-36 and 43
under 35 U.S.C. §103(a)

Claims 1, 2, 15-17, 20, 24, 34-36 and 43 have been
rejected under 35 U.S.C. §103(a) as being unpatentable
over U.S. Patent No. 5,479,488 to Lennig et al. in view
of U.S. Patent No. 6,072,862 to Srinivasan.

I.   The Current Application

As discussed in the background of the specification,
current voice mail systems and the like suffer from the
disadvantage that a user of the voice mail system must
manually key in a destination telephone number for the
party they are attempting to call. See Application, p.5,
first full paragraph. This becomes especially
problematic when a person wishes to reply to a voice mail
message by calling back the party who left the message,
or alternatively, wishes to forward a voice mail message
to a colleague. If the person does not recall the
telephone numbers of the colleagues (or have them readily
available), they will have to disconnect from the voice
mail system, access the appropriate directory assistance
system to obtain the desired telephone numbers,
disconnect from the directory assistance system and call
back into their voice mailbox where they will have to
replay the message and manually input the telephone
number(s) obtained from directory assistance.

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The present invention addresses this type of problem by calling for, according to claim 1, a voice-responsive messaging system comprising:

a voice processing unit configured for recording <u>a destination party identity</u> and a destination <u>address *type*, spoken by calling party</u>, for a corresponding message;

a speech recognition unit for outputting data corresponding to identified words spoken by the calling party; and

a master control unit configured for <u>generating a destination address query for an identified directory database in response to identification of the destination party identity and the destination address *type*</u> by the speech recognition unit,

wherein the master control unit, in response to receiving a destination address reply from the identified directory database, selectively initiates a transfer of the message to the destination party based on the destination address reply

(emphasis added).

Accordingly, the present invention relates to a voice-responsive system wherein a caller identifies a destination party and destination address type (such as, "fax", "email", "telephone", "pager", etc.). Based upon the destination party and destination address type, the system generates a destination address query.

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II. The Art of Srinivasan

In the pending Office Action, the Examiner asserts that Srinivasan discloses the invention of claim 1 except for a voice processing unit and speech recognition unit, and that these features would have been obvious to incorporate in view of Lennig. Applicants respectfully traverse this rejection.

Srinivasan discloses an adaptable message delivery system based upon a "universal" mailbox 10 that is capable of receiving and storing messages from a variety of different devices, including fax machines, voice mail systems, pager systems, etc. See, Srinivasan, 3:5-15. This universal mailbox is in communication with a service control point (SCP) 24 that itself is in communication with an input device 28, such as a touch-tone telephone.

A. Srinivasan Requires a Calling Party to Know a Recipient's Number

In operation, Srinivasan requires a calling party 12 to know a subscriber number to call in order to access the universal mailbox 10 to send or leave a message to another party. See, Srinivasan, 2:37. Srinivasan neither discloses nor suggests any other way for a calling party to access the messaging system except through direct knowledge of the appropriate access number assigned to the subscriber of the messaging system.

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B.   Srinivasan Does Not Require a Calling Party to
      Direct a Message to a Specific Type of Mailbox
      Based Upon the Message Format

Upon calling the subscriber number of the desired

recipient, the calling party can leave a message of a

variety of different formats within the universal mailbox

10. This is possible because the system of Srinivasan

provides for the conversion of messages from one type of

media format to another. This allows the subscriber to

receive messages in a specified format irrespective of

the format in which the information was originally

delivered. See, Srinivasan, 2:23-26. For example, a

facsimile message comprising text can be converted to

digital speech and retrieved by a subscriber, who, not

having access to a facsimile machine at the time the

information is needed, obtains the information via voice

mail. See, Srinivasan, 2:23-31. Thus, "both the sender

and a subscriber may select their preferred medium of

communication. If the two are different, the present

invention provides the necessary conversion." See,

Srinivasan, 2:36-42.

Specifically, in Srinivasan, the universal mailbox

10 connects to SCP 24 and identifies the type of message

currently residing in the mailbox. In response, SCP 24

executes internal call processing logic previously

established by the subscriber. See, Srinivasan, 4:15-24.

This internal call processing logic is programmed by the

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subscriber to account for one or more pre-designated parameters, such as the type of message received, type of destination to which the message from mailbox 10 is to be delivered, and the time and/or date of receipt of the message. See, Srinivasan, 3:33-43. Subsequently, SCP 24 converts the message into the appropriate format, if needed, and then utilizes conventional routing facilities 41 to connect the universal mailbox 10 with the appropriate destination box (30, 32, 34, 36, 38 and 40), such as a fax, email or voicemail system, associated with a specific subscriber.

Accordingly, as acknowledged by the Examiner, upon the recording of a message in Srinivasan, "the mailbox sends a query to the SCP 24 to determine the routing destination and based on the results the SCP instructs the mailbox the appropriate destination to transmit the message." See Office Action Summary, page 3, third paragraph, discussing column 4, lines 8-27 of Srinivasan. However, in contrast to Srinivasan, where the SCP 24 makes the determination of where to route a message, in the present application it is the calling party that determines where a message will be routed. The calling party determines the appropriate destination for a message through the use of voice processing and speech recognition units, as called for in claim 1, which record and process a "destination party identity and a

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<u>destination address type spoken by a calling party</u>" and
generates "a destination address query for an identified
directory database in response to identification of the
destination party identity and destination address type."

Based on the above discussion, it is seen that the
message delivery system of Srinivasan performs a
completely different process, which actually teaches away
from Applicant's system. Specifically, the system of
Srinivasan allows the <u>receiver</u> of the message to
determine the actual format of the received message
(i.e., voicemail, email, fax, etc.), regardless of the
message's original format, as the system disclosed by
Srinivasan is capable of converting the format of a
message prior to its delivery. As a result, it makes
little difference what type of message is provided by a
sender because a Srinivasan system ultimately converts
that message into a format desired by the subscriber.
<u>Thus, there is no concern on behalf of the sender of a</u>
<u>message to direct the message to a specific mailbox</u>
<u>appropriate for that type of message format (i.e.,</u>
<u>voicemail, fax, email, etc.).</u> Consequently, Srinivasan
not only fails to disclose, but actually teaches away
from, a system where there exists a need for a sender of
a message to easily determine the appropriate mailbox or
destination to direct specific type of message. In
contrast, Applicant's system addresses the need for a

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sender of a message to easily determine the correct destination for a message based on a message type. The Applicant's system accomplishes this by providing a voice-responsive system that records "a destination party identity and a destination address type spoken by a calling party" in order to generate "a destination address query for an identified directory database in response to identification of the destination party identity and destination address type."

C.   Summary of Srinivasan

Accordingly, Srinivasan not only fails to disclose the unique features called for in Applicant's system, but actually teaches away from the claimed system. Srinivasan does not teach a voice-responsive message system wherein a calling party can leave a message for a recipient party without having to remember their telephone number. Specifically, Srinivasan does not disclose a master control unit that queries a database based upon an audible destination party identity and a destination address type, as recited in claim 1. Indeed, Srinivasan states that "calling party 12 need only know a single subscriber telephone, identification, or access number to leave any kind of message." See, Srinivasan, 4:49-52.

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Moreover, Srinivasan does not disclose, and in fact teaches away from, a voice-responsive message system wherein the <u>calling party</u> determines the format of the message being left and received by the recipient party. Specifically, Srinivasan does not teach a master control unit that generates a destination address query based upon an <u>address type</u> as recited in claim 1. Rather, the Srinivasan system allows the <u>recipient</u> to determine the form of the message. Accordingly, there is no need in a Srinivsan system for the <u>calling party</u> to specify a particular message type.

III. The Art of Lennig

The Lennig reference does not remedy the shortcomings of Srinivasan. Lennig discloses a directory assistance apparatus for reducing operator involvement during a call. Specifically, when a directory assistance call is received, the system of Lennig announces the message "For what city?", prompting the caller to state the name of the locality they are trying to get information. See, Lennig, starting at 6:34. If the locality is recognized, the system will transmit a message asking the caller to state whether or not the desired listing is a business listing. See, Lennig, starting at 7:1. If the required number is a business listing, the system then asks "For what business name?"

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and then employs speech recognition to attempt to
retrieve the requested number. See, Lennig, 7:17. Lennig
does not teach or suggest a messaging system, nor, more
particularly, the messaging system of the pending claims.

Unlike Applicant's claimed messaging system, the
directory assistance apparatus of Lennig fails to
acknowledge that more than one type of destination
address can exist, for instance, an email address, a fax
number, a voicemail telephone number, cellular telephone
number, etc. As a result, Lennig does not solicit the
type of destination address sought by the calling party
as its system is designed to only retrieve telephone
numbers for voice conversations (see, e.g., Lennig, 2:16
through 3:30, along with Figure 3B), as recited in claim
1. As such, a caller in Lennig's system cannot specify
the type of destination address he wishes to retrieve for
a particular party.

Because Lennig does not solicit the type of
destination address sought, Lennig does not generate a
destination address query based upon the combination of
i) a destination party identity and ii) a destination
address type, as recited in claim 1. Further, Lennig
also fails to identify an appropriate database based upon
such information, for instance, a database designed to
accumulate and store email addresses. In contrast, the
claimed invention calls for a master control unit that

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generates "a destination address query for an identified directory database in response to identification of the destination party identity <u>and</u> the destination address type."

Lastly, as the Examiner has acknowledged, Lennig fails to disclose the ability to transfer a message to a destination party. Lennig simply aides directory assistance services by automating portions of it using speech recognition. Specifically, Lennig asks "For what city?" the call is directed to, whether the desired listing is a business number, and if so, the name of the business. If at any point the system cannot process this information, the caller is redirected to a human operator for further assistance. See Lennig, 6:19 through 7:47.

It is implied in the Office Action that Lennig's inquiry "For what city?" is the same as or equivalent to the claimed invention's destination address type. See, Office Action, page 3, line 5. However, as illustrated above, the physical address (i.e., street name and number) solicited in Lennig is completely different from the address (type) (for example, "telephone", "email", "pager", "fax", etc.) solicited in the claimed invention. The claimed invention includes a voice processing unit for "recording a destination party identity and destination address type," such as, for example, a fax, voicemail or email address. A master control unit of the

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claimed invention is then configured for "generating a destination address query for an identified directory database," and "in response to receiving a destination address reply ... initiates a transfer of the message." In contrast, Lennig, as a directory assistance apparatus, is designed for and only capable of searching for a directory phone number, using a geographic location ("For what city?") to expedite the search process.

Similar to claim 1 discussed in detail above, independent claims 15, 24 and 34 all call for the identification of a party identity and a destination address type, along with either the generation of a query based on a party identity and destination address type (claim 15), the retrieval of a destination address corresponding to the destination party and destination address type (claim 24), or access to destination address information for a destination party based on a corresponding destination address type (claim 34). As discussed in detail above in relation to claim 1, neither Srinivasan nor Lennig, individually or in combination, suggest or disclose the identification of a destination party identity and a destination address type, such as, for example, a fax number, voicemail number, or email address. Further, neither reference, individually or in combination, discloses the formation of a query, nor retrieving or accessing a destination address based on a

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party's identity and destination address type.

Accordingly, independent claims 15, 24 and 34, along with

the claims dependent there from, should all be patentable

over the references of Srinivasan and Lennig.

Rejection of Claims 3-14, 16-19, 21-23, 25-33 and 37-42 under 35 U.S.C. §103(a)

Dependent claims 3-14, 16-19, 21-23, 25-33 and 37-42

stand rejected under 35 U.S.C. §103(a) as being

unpatentable over Srinivasan in view of Lennig and in

further view of U.S. Patent 5,193,110 to Jones et al.

("Jones").

As indicated above, the references of Srinivasan and

Lennig, either individually or in combination, fail to

disclose a system that "generates a destination address

query for an identified directory database in response to

identification of the destination party identity and the

destination address type." Accordingly, the references

of Srinivasan and Lennig do not establish a prima facie

case under §103 for independent claims 1, 15, 24 and 34,

from which the above rejected claims depend on.

Furthermore, the addition of Jones as a reference

does not cure these deficiencies (indeed, the Examiner

does not advance Jones for these deficiencies). Jones's

services platform for a telephone communication system

does not disclose a system or method where a destination

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party identity and a destination address type are identified, and subsequently a destination address corresponding to the party identity and address type is retrieved. Accordingly, claims 3-14, 16-19, 21-23, 25-33 and 37-42 should be patentable over the references of Srinivasan, Lennig and Jones.
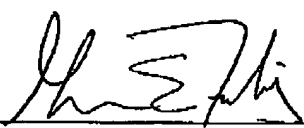
Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Any fees associated with the filing of this paper should be identified in any accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC.

Respectfully submitted,

April 16, 2003   By _____
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CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being forwarded to the U.S. Patent Office, Attn: Examiner G. Gauthier via facsimile at 703-872-9314 on this 16th day of April, 2003.

Diane R. Lytle

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Marked-up Version of Amended Claims

1. (Once Amended)   A voice-responsive messaging system comprising:

a voice processing unit configured for recording a destination party identity and a destination address type, spoken by calling party, for a corresponding message;

a speech recognition unit for outputting data corresponding to identified words spoken by the calling party; and

a master control unit configured for generating a destination address query for an identified directory database in response to identification of the destination party identity and the destination address type by the speech recognition unit, wherein the master control unit, in response to receiving a destination address reply from the identified directory database, selectively initiates a transfer of the corresponding message to the destination party based on the destination address reply.